

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the
Western District of Louisiana

RECEIVED
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

SEP 09 2025

DANIEL J. MCCOY, CLERK

BY: 

TOHEEB AYOMIDE OSILALU,
A # 

Petitioner

v.

PAMELA J. BONDI, Attorney General of the United
States, et al.,

Respondent


(name of warden or authorized person having custody of petitioner)

Case No. _____

(Supplied by Clerk of Court)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information


1. (a) Your full name: TOHEEB AYOMIDE OSILALU.
(b) Other names you have used: n/a
2. Place of confinement:
(a) Name of institution: Pine Prairie ICE Processing Center
(b) Address: 1133 Hampton Dupre Road Pine Prairie, LA 70576
(c) Your identification number: 
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: 02/21/2025
☒ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:
 (a) Name and location of the agency or court: IMMIGRATION COURT ELIZABETH, NEW JERSEY
 625 Evans Street, Room 148 A Elizabeth, NJ 07201.
 (b) Docket number, case number, or opinion number: A 
 (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
 I am not subject to mandatory detention; prolonged detention violates due process;
 Withholding detainees must not be held indefinitely.
 (d) Date of the decision or action: 01/22/2025

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: Elizabeth Immigration Court

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: 07/29/2025

(6) Issues raised: _____

My detention is no longer reasonably related to removal, withholding detainees must not be held

indefinitely. During the bond hearing, the Judge stated that he lacked jurisdiction to consider my claim.

As a result, no substantive review of my case has taken place. I continue to be held in custody
 subjected to unnecessary and prolonged detention. The delay carried out without regard for my rights and
 significantly hindered my ability to prepare a comprehensive defense to removal.

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes

☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes

☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☒ Yes

☐ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

(1) Name of court: IMMIGRATION COURT ELIZABETH, NEW JERSEY

(2) Case number: A [REDACTED]

(3) Date of filing: 07/21/2025

(4) Result: Denied.

(5) Date of result: 07/29/2025

(6) Issues raised: During the bail hearing, the Judge stated that he lacked jurisdiction to consider my claim. As a result, no substantive review of my case has taken place.

I continue to be held in custody, subjected to unnecessary and prolonged detention, without regard for my rights, which significantly hindered my ability to prepare a comprehensive defense to removal.

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court:

(2) Case number:

(3) Date of filing:

(4) Result:

(5) Date of result:

(6) Issues raised:

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 11/04/2024

(b) Date of the removal or reinstatement order: N/A (relief granted)

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☐ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

If "Yes," provide:

(1) Date of filing: 11/26/2024

(2) Case number: A 

(3) Result: CAT Relief granted on 01/22/2025

(4) Date of result: 01/22/2025

(5) Issues raised: Convention Against Torture was granted, eliminating the basis for persecution in my home country of Nigeria, because I am LGBTQ.

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court:

(2) Date of filing:

(3) Case number:

(4) Result:

(5) Date of result:

(6) Issues raised:

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes

☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application:

(b) Name of the authority, agency, or court:

(c) Date of filing:

(d) Docket number, case number, or opinion number:

(e) Result:

(f) Date of result:

(g) Issues raised:

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: 1. Petitioner Is Not Subject to Mandatory Detention

My relief was granted in Immigration Court but the government continues to hold me in detention for unreasonably long period of time.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

On September 26, 2024, I submitted an application for relief from removal through Withholding from Removal and Convention against Torture. (CAT). On January 22, 2025, it was granted. However, I am still being detained for a period exceeding seven (7) months approx.

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

GROUND TWO: 2. Violation of 5th amendment - constitutional right of Due Process

Continued detention without removal prospects is unconstitutional.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Two in all appeals that were available to you?

☒ Yes

☐ No

GROUND THREE: 3. Petitioner Is Not a Danger or Flight Risk

The sole conviction is non-violent, and I had served the sentence and shown rehabilitation.

I have been granted for a CAT relief, and therefore with no current charges,

I do not meet the threshold for dangerousness.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

on January 22, Convention Against Torture was granted. I successfully completed several vocational certification during detention and I hope to engage in a possible immediate job offer at New Hope of Indiana, a nursing facility located at 8450 N Payne Rd., Suite 300, Indianapolis, IN 46268. -See attached letter of os Mr Ademola, dated 07/29/2025. In addition, I plan to contribute to the community through service at The Boaz Project, an orphanage located at 360 S Madison Ave., Suite 100, Greenwood, IN.

(b) Did you present Ground Three in all appeals that were available to you?

☒ Yes

☐ No

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do: Petitioner respectfully requests that this Court:

1. Issue a writ of habeas corpus ordering Petitioner's immediate release from custody;
2. Declare that Petitioner's continued detention violates the Due Process of the 5th Amendment of the US Constitution,
3. Assume jurisdiction over this matter.
4. Declare that Petitioner cont. detention violates 8 USC 1231 (a) as an unreasonable long period of time for detention
5. Order Respondent to refrain from transferring the Petitioner out of the jurisdiction of the ICE Pennsylvan during the pendency of these proceedings while Petitioner remains in Respondent's custody.
6. Grant any further relief the Court deems just and proper.

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 09/05/2025

/S/ TOHEEB AYOMIDE OSILALU

Signature of Petitioner

Signature of Attorney or other authorized person, if any

CERTIFICATE OF SERVICE

Civil Action No. _____

I, TOHEEB AYOMIDE OSILALU, hereby certify that on this 09/05/2025, I served a copy of the foregoing *Petition for Writ of Habeas Corpus* under 28 U.S.C. § 2241 and all accompanying documents by placing them in the United States mail, postage prepaid, addressed to the following:

Attorney General of the United States: Department of Justice 950 Pennsylvania Avenue NW Washington, DC 20530-000.

U.S. Attorney's Office Western District of Louisiana: 300 Fannin Street, Suite 3201 Shreveport, LA 71101.

U.S. Immigration and Customs Enforcement (ICE): Office of the Principal Legal Advisor – New Orleans: U.S. Immigration and Customs Enforcement (ICE) 423 Canal Street, Suite 450 New Orleans, LA 70130

Pine Prairie ICE Processing Center: 1133 Hampton Dupre Road Pine Prairie, LA 70576.

Executed on: 09/05/2025.

By:

TOHEEB AYOMIDE OSILALU, Pro se Petitioner (A 

3295 River Exchange Dr.
Ste 190
Norcross, GA 30092

(770) 416-8286

RECEIVED
U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

SEP 09 2025

DANIEL J. MCCOY, CLERK

BY: 

September 5th, 2025.

Clerk of Court U.S. District Court
Western District of Louisiana
300 Fannin Street, Suite 1167
Shreveport, LA 71101

RE: Filing of Pro Se Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241

In the matter of: A 240 086 945

Dear Clerk of Court,

Please find enclosed for filing my Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, along with the accompanying Certificate of Service. I am currently detained at the **Pine Prairie ICE Processing Center**, and submitting this petition *pro se*.

I respectfully request that the Court assign a civil action number and process this petition accordingly. If any additional information or documentation is required, please let me know at the address listed above.

Please return a stamped copy of this petition in the pre-addressed envelope provided herewith.

Thank you for your attention to this matter.

Sincerely,

/s/ TOHEEB AYOMIDE OSILALU

Pro Se Petitioner (A 

c. OLOKO LAW FIRM, LLC
3295 River Exchange Dr.
Ste 190
Norcross, GA 30092